

Message Text

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TAGS: CASC, MX

SUBJ: CASE REVIEW OF ALL AMERICAN PRISONERS IN MEXICO (BORK,
JOSEPH LEO)

1. DENIAL OF HUMAN RIGHTS: BORK ELIGIBLE FOR RELEASE IN SEPT 1975 UNDER WORK/GOOD BEHAVIOR PROGRAM. PRISON DIRECTOR HAD REQUIRED TESTS MADE AND SENT PAPER WORK TO PREVENCIÓN SOCIAL MEXICO. UNFORTUNATELY, DURANGO PRISON PSYCHIATRIST DR. BUENO VALLE REPORTED THAT, BASED ON BORK'S PREVIOUS RECORD, HE WAS STILL CONSIDERED HALF DEPENDENT ON DRUGS AND NEEDED REMAIN IN PRISON FOR FURTHER REHABILITATION, ALTHOUGH HE STATED IN THIS REPORT THAT BORK HAD NOT USED MARIJUANA SINCE MAY 1974. BORK ALLEGED THAT THIS REPORT WAS MADE WITHOUT A DOCTOR'S EXAMINATION AND CLAIMED HE HAD NOT USED MARIJUANA OR ANY OTHER DRUG SINCE MAY 1974. CONTRADICTORY STATEMENTS IN DOCTOR'S REPORT ELICITED RESPONSE FROM PREVENCIÓN SOCIAL THAT DIRECTOR SHOULD CLARIFY SITUATION BUT THIS WAS NOT DONE. DURING CONOFF'S ROUTINE VISIT TO DURANGO NO 25, 1975 CONOFF DISCUSSED SITUATION AT LENGTH WITH PRISON DIRECTOR AND SUB-DIRECTOR. DIRECTOR ARGUED THAT DOCTOR, IN GOOD CONSCIENCE, COULD NOT CERTIFY BORK CURED OF MARIJUANA ADDICTION. DIRECTOR UNWILLING HAVE BORK REEXAMINED. CONOFF LEFT CONFERENCE WITH FEELING NOTHING GAINED. HOWEVER, WHEN CONOFF RETURNED TO PRISON FOLLOWING MORNING TO TIE UP LOOSE ENDS, BORK STATED THAT HE HAD BEEN SUMMONED TO DIRECTOR'S OFFICE FOR PHONE CONFERENCE BETWEEN PRISON DIRECTOR AND PREVENCIÓN SOCIAL IN MEXICO AND THAT DIRECTOR SAID THAT

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BORK WAS TO BE REEXAMINED BY DOCTOR. CONOFF FEELS THIS FACE-SAVING

DEVICE AND "NEW EXAMINATION" WILL BE FAVORABLE FOR BORK'S RELEASE. CONOFF ALSO DISCUSSED THE MATTER OF BORK'S RELEASE ON WORK/GOOD BEHAVIOR WITH THE LOCAL JUDGE WHO SAID THAT IT WAS MOST UNUSUAL FOR PREVENCIÓN SOCIAL TO INSIST THAT A PRISONER, HAVING COMPLIED WITH WORK/GOOD BEHAVIOR LAW, BE DETAINED LONGER. HE ADDED THAT THE REMISION PARCIAL IS A RIGHT WHICH EVERYONE HAS AND IF SUCH RIGHT IS DENIED, BORK SHOULD HAVE TO PUBLIC DEFENDER PLACE AN AMPARO AGAINST THE DECISION. BORK SAID THAT, IN VIEW OF THE UPCOMING REEXAMINATION, HE WOULD ADOPT WAIT-AND-SEE POLICY BEFORE MOVING ON FILING AN AMPARO.

2. ATTORNEY RELATIONS: BORK HAS HAD THREE ATTORNEYS, ONE WHO TOOK 3,500 FROM HIM AND SHORTLY THEREAFTER LEFT TOWN. THIS PERSON IS NOW SERVING TIME IN TERMINAL ISLAND FOR SMUGGLING COCAINE. THE SECOND ATTORNEY CARRIED HIM THROUGH HIS TRIAL AND APPEAL PERIOD. BORK WAS SATISFIED WITH HIS SERVICES BUT WHEN THE TIME CAME TO ASSEMBLE AND DELIVER PAPERS TO MEXICO FOR HIS EARLY RELEASE HE HIRED A THIRD ATTORNEY TO PERFORM THIS FUNCTION. IF BORK IS NOT RELEASED ON WORK/GOOD BEHAVIOR SOON, HE INTENDS TO HAVE PUBLIC DEFENDER FILE AN AMPARO FOR HIM AS SUGGESTED BY DISTRICT JUDGE.

3. COMMISSIONED WORK: BORK HAS HAD COMMISSIONED WORK DURING HIS ENTIRE IMPRISONMENT. HE TEACHES ENGLISH, ENGAGES IN CARPENTRY AND DOES WOOD CARVING. HE ALSO MAKES LONG LOOSE SHIRTS OUT OF MUSLIN SACKS AND SELLS THEM AT 50 PESOS EACH. HE WAS CREDITED WITH WORK UNDER WORK/GOOD BEHAVIOR PLAN.

4. VISITATIONS: BORK HAS BEEN VISITED ON A MONTHLY BASIS SINCE JAN 1, 1975. SUCH VISITS WILL CONTINUE.
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